

EXHIBIT 4

STATE OF MICHIGAN
IN THE COURT OF APPEALS

CHERYL A. COSTANTINO and,
EDWARD P. MCCALL, JR.,

COA Case No.: 355443

Plaintiffs/Appellants,

Cir. Ct. Case No. 20-014780-AW
Hon. Timothy M. Kenny

vs.

CITY OF DETROIT; DETROIT ELECTION
COMMISSION; JANICE WINFREY, in her official
capacity as the CLERK OF THE CITY and the
Chairperson of the DETROIT ELECTION COMMISSION;
CATHY M. GARRETT, in her official capacity as the
CLERK OF WAYNE COUNTY; and the WAYNE COUNTY
BOARD OF CANVASSERS,

Defendants/Appellees.

and

MICHIGAN DEMOCRATIC PARTY,

Intervenor Defendant/Appellee,

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SUPPLEMENTAL AFFIDAVIT OF CHRISTOPHER THOMAS

**SUBMITTED IN SUPPORT OF CITY OF DETROIT, DETROIT ELECTION
COMMISSION AND JANICE WINFREY'S RESPONSE TO APPLICATION FOR
LEAVE TO APPEAL**

Being duly sworn, Christopher Thomas, deposes and states the following as true, under oath:

1. I have served as a Senior Advisor to Detroit City Clerk Janice Winfrey beginning on September 3, 2020 and continuing until December 12, 2020. In this capacity I advise the Clerk and management staff on election law procedures, implementation of recently enacted legislation, revamped absent voter counting board, satellite offices and drop boxes, Bureau of Election matters and general preparation for the November 3, 2020 General Election.

2. I submitted an affidavit which was attached as Exhibit 1 to the Response filed by the City of Detroit, Detroit Election Commission and Janice Winfrey to Plaintiffs' Motion for an Ex-Parte Temporary Restraining Order, Show Cause Order and Preliminary Injunction.

3. This supplemental affidavit is intended to supplement the earlier affidavit by including information obtained subsequent to the earlier affidavit and to respond to claims made in an affidavit submitted to the trial court which I did not have an opportunity to review before my affidavit was completed.

4. In his affidavit, Zachery Larsen stated he saw an inspector at Counting Board 23, type into the computer system a name other than that of the voter appearing on the envelope because the voter was already in the EPB. But, if the voter was already checked in, the inspector would not have the envelope with a ballot in it. Mr. Larsen asserts he saw the name "Pope" typed into the EPB when there was already a person with that last name in the EPB. But, at Counting Board 23, there are three people with the last name Pope who voted in the election. One returned their ballot in October and therefore would have been in the EPB (since the information was downloaded from the Qualified Voter File on Sunday November 1, 2020). The two other voters with the last name of Pope voted on Monday, November 1, so their names would not be in the EPB. Mr. Larsen apparently observed one of those voters being hand entered into the system, as was necessary if they were not already in the EPB.

5. The City has conducted an internal inquiry with respect to Mr. Larsen's assertions regarding Counting Board 23. At that Counting Board, 2,855 ballots were tabulated with 2,856 associated envelopes. Each envelope is associated with validly registered voters and applications for absent voter ballots. The only voters whose names were typed into the system at that Counting Board were voters whose barcode did not bring up a ballot and whose name did not appear on the

supplemental list. All such ballot envelopes were signed, verified and date/time-stamped as having been received before 8:00 p.m. on Tuesday, November 3, 2020.

6. My understanding is that affiant Melissa Carone had been hired by a third party to clear ink backups on tabulating machines. Her main allegation—that hundreds or thousands of ballots were counted twice—cannot be true. She says she saw on a computer that 50 of the same ballots had been counted 8 times, and that she saw numerous similar instances “countless times” throughout the day. She does not say she saw multiple scans; just that she saw the numbers on various computers. If what she said were true, at the very least, 350 extra votes would show up in at least one precinct (or an absent voter counting board). Indeed, according to her, large numbers of extra votes would show up in “countless” precincts. However, a mistake like that would obviously be caught very quickly on site. What Ms. Carone thinks she saw would also be caught by the Detroit Department of Elections and the Wayne County Canvassing Board during the canvassing which occurs after every election as a matter of law.

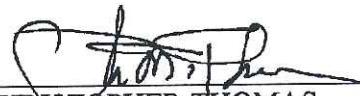
7. Ms. Carone’s speculation about 100,000 new ballots is not possible. On Sunday roughly 150,000 absent voter ballots were delivered to TCF for the Monday pre-processing; on Tuesday roughly 7,000 ballots were delivered and on Wednesday around 3 – 3:30 a.m. the final roughly 16,000 ballots were delivered. If 100,000 instead of 16,000 ballots had been delivered, Detroit’s total turnout would be 84,000 ballots more than what is publicly reported. Her claim about the 100,000 new ballots appears to be based on a repeatedly debunked conspiracy theory in which a clerk in Shiawassee County accidentally typed in an extra 0 and quickly discovered and fixed the error. See, e.g. <https://www.factcheck.org/2020/11/clerical-error-prompts-unfounded-claims-about-michigan-results/>.

8. In conclusion, I have seen nothing which would change my conclusions, based upon my own knowledge and observation, that Plaintiffs' claims are misplaced and that there was no fraud, or even unrectified procedural errors, associated with processing of the absentee ballots for the City of Detroit.


I affirm that the representations above are true.

Further, Affiant sayeth not.

Date: November 16, 2020


CHRISTOPHER THOMAS

Subscribed and sworn to before me
this 16th day of NOVEMBER, 2020.


Notary Public
County of MACOMB, ACTING IN OAKLAND
My Commission Expires: 8/8/24
NOTARIZED USING ELECTRONIC/REMOTE TECHNOLOGY
NOTARY LOCATED IN OAKLAND COUNTY, MI
SIGNATORY LOCATED IN BERRIEN COUNTY, MI

KIMBERLY S. HUNT
NOTARY PUBLIC, STATE OF MI
COUNTY OF MACOMB
MY COMMISSION EXPIRES Aug 8, 2024
ACTING IN COUNTY OF OAKLAND